ENVIRONMENTAL LEAD NEWSLETTER

June 2002

UPDATES AND ANNOUNCEMENTS

New Kentucky Rules

New Environmental Lead regulations identified as 902 KAR 48:010, 48:020, 48:030 and 48:040 became effective February 2002. Hard copies of the regulations can be obtained from the Environmental Lead Program at the address indicated below. The regulations can also be reviewed on the Internet at: http://www.lrc.state.ky.us/kar/TITLE902.HTM and look under: Chapter 48 Lead Abatement

- Some of the main differences in the revised regulations are discussed under the issues sections of the newsletter.
- In addition the program is in the process of completing information packets to companies and individuals which should be mailed by July.

Expirations (See listings)

Individuals and company certifications, which have expired since the last newsletter, are identified with a strike through on the listing. Individuals who will expire in the next six months have been underlined.

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Assessment and Abatement Issues

Regulatory Changes:

Certification:

- Provides that only Departmental approved courses will be accepted for certification. Changes certification date to correspond with course completion date and give the department ten (10) days to approve or disapprove application. Adds the requirement for an application fee in addition to the discipline fee, and requirement for submission of color photograph.
- Establishes requirements for taking the 3rd party examination, including a fee, pass/failure rules, issuance of identification card, and limits certification application process time period.
- Requires at minimum a high school diploma or equivalent for supervisor certification.
- Added qualifications for certification of a lead hazard-sampling technician.
- Requires that an applicant apply for recertification at a minimum of thirty (30) days prior to the expiration date. Allows for special consideration and requirements for individuals who file after the certification expiration date.

Abatement and Assessment:

- Acceptable work practice requirements and methodologies are in the regulation, identified in EPA rules, or can be equivalent methods.
- Indicates that there a specific components of the abatement plan identified in another section. Provides for a fee to review the application, and if disapproved an additional fee for continued review. Allows for conditions and requirements for extending the dates of the permit issuance. Identifies conditions where an additional permit and fee may be required if permit expires.

Regulatory Changes

Accreditation:

- Changes in application and reapplication process.
 Requires additional company and course information to be provided to the Department at the time of application
- Changes the time period for acceptance, disapproval or submission of information from the provider. Clarifies that both initial and refresher courses require course approval.
- Provides requirements for amending training course approval. Indicates that new courses added will expire on the same date as the initial program accreditation.
- Added other course requirements that involve instructor/student ratios, adequate training and visual equipment, lighting and space. Added requirement for identify students. Indicating the time that the student must attend the course (90 percent of each day). Allows a specific time period for the students to pass the course test or complete failed hands-on skills requirements. Addition information is now required on the course completion certification.
- Provides that the principal instructor must have taken the initial course that is being taught, with the exception of the worker course.
- New section that covers: Specific time period notification for management or organization changes, transfer of records. Training course notification, time period, materials to be submitted. Requirement for submission of student rosters with specific information. Allows for variance in notification time period under special circumstances.
- Adds course requirements for lead hazard dust clearance technician.
- Replaced section concerning inspection requirements. Specifically indicates that both course and in-house audits will be conducted as a part of continued accreditation.

Regulatory Changes Abatement and Assessment -cont.-

- Changes in present fee cost and the addition of new fees.
- Change to allow the use of a supervisor in large projects where low level waste are involved. Requirements for specific information to be included in abatement plan.
- New Section specifying onsite permit requirements, identification cards in the possession of workers, who can be on the site, and the specific requirement that the certified individual who prepared the abatement plan must be onsite or available.
- Added requirement, that the company must provide analytical information about the lead level of the replacement soil.
- Provides for clearance procedures after non-abatement activities such as renovation and remodeling activities.
- New section that includes report requirements for both clearance after abatement and non-abatement activities that disturb lead based paint, and a time period requirement for submission of the report to the Department.
- The title of this section reflects new EPA definitions. The information was removed from the definitions to this location for clarification purposes.
- Changes were made to reflect new EPA 403 standards.
- Additional requirements were added that direct the company to be responsible for the admission of the Department to conduct the inspection. Other requirements concern the discontinuance of the inspections if violations are found during the visual part of the inspection.

Kentucky Certified Lead-Hazard Risk Assessors June 15, 2002

Phillip Applegate Exp. 02/15/03 Evergreen Group Middlesburg, KY. 42521 (502) 241-4171

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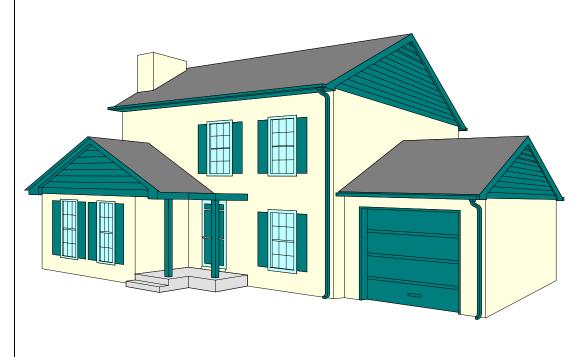
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Supervisors

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Bluegrass Environmental Services

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Supervisors

Harold Kenney

Cardinal Ind. Insulation Exp. 5/12/04

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Dixie Development Exp. 10/23/02

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Supervisor

Kenneth Ruth

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Supervisors Stephen Watson

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Supervisors

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